

REMARKS

Entry and reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks.

Upon entry of this Amendment, claims 61-69 are currently pending in the application. Claims 61, 62, 68, and 69 have been amended.

Applicant appreciates the courtesies extended by Examiner Cartagena to Applicant's representative during a personal interview conducted on April 14, 2004. The substance of the personal interview is discussed below.

It is respectfully requested that this Amendment be entered as it places the application in condition for allowance, or at least in better form for appeal. No new issues are raised as the amendments merely clarify and/or emphasize points that were discussed during the personal interview. Therefore, entry is proper.

Claims 1-3, 5-10, 12-18, 20-30, 32-37, 39-45, and 47-69 are rejected under 35 U.S.C. §102(b) by Schneider, U.S. Patent No. 3,870,085 ("the '085 patent"). This rejection is respectfully traversed.

As agreed during the personal interview, Schneider does not disclose the method as recited in claim 61, and in particular does not disclose pressurizing the fluid vessel with a second fluid of sufficient pressure on one side of the enclosed structure to cause translation of the enclosed structure within the fluid vessel to forcibly drive the first fluid from the fluid vessel with the at least one seal member sliding along the wall to maintain the fluid tight seal as required by claim 61. Accordingly, withdrawal of the rejection of claim 61 is respectfully requested.

Claim 62 depends from claim 61 and is submitted to be allowable based on that dependency and for its recitation of additional patentable subject matter.

As agreed during the personal interview, Schneider does not disclose the fluid vessel as recited in claim 63, and in particular does not disclose an enclosed structure that is constructed and arranged to expand longitudinally within the fluid vessel when transitioning to the inflated configuration to forcibly drive the fluid from the vessel with the at least one seal member sliding along the wall to maintain the fluid tight seal as required by claim 63. Accordingly, withdrawal of the rejection of claim 63 is respectfully requested.

Claims 64-68 depend from claim 63 and are submitted to be allowable based on that dependency and for their recitation of additional patentable subject matter.

As agreed during the personal interview, Schneider does not disclose the method as recited in claim 69, and in particular does not disclose inflating the enclosed structure to an inflated configuration so as to engage at least one seal member provided on the outer surface of the enclosed structure with an inner surface of the wall to provide a fluid tight seal therebetween and also to expand the enclosed structure longitudinally within the fluid vessel to forcibly drive the fluid from the vessel by the longitudinal expansion with the at least one seal member sliding along the wall to maintain the fluid tight seal as required by claim 69. Accordingly, withdrawal of the rejection of claim 69 is respectfully requested.

Claims 4 and 31 are rejected under 35 U.S.C. §103(a) over Schneider. Also, claims 11, 38, 19, and 46 are rejected under 35 U.S.C. §103(a) over Schneider. Claims 1-60 have been cancelled by this Amendment, therefore these rejections are moot.

All rejections have been addressed. It is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

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